

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Jeremy Faith, Esq. (SBN190647) Ori S. Blumenfeld, Esq. (SBN 259112) MARGULIES FAITH, LLP 16030 Ventura Blvd., Suite 470 Encino, CA 91436 Telephone: (818) 705-2777 Facsimile: (818) 705-3777 Email: Jeremy@MarguliesFaithLaw.com Email: Ori@MarguliesFaithLaw.com</p> <p><input type="checkbox"/> <i>Individual appearing without attorney</i> <input checked="" type="checkbox"/> <i>Attorney for: Chapter 7 Trustee, Howard Grobstein</i></p>	<p>FOR COURT USE ONLY</p>
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UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION	
In re: FURY INVESTMENTS, INC. FDBA ZELDA'S NIGHTCLUB,	CASE NO.: 6:20-bk-14908-MH CHAPTER: 7
Debtor(s).	NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: 09/30/2020	Time: 11:00 am
Location: United States Bankruptcy Court, 3420 Twelfth Street, Courtroom 303, Riverside, CA 92501-3819	

Type of Sale: ☒ Public ☐ Private

Last date to file objections: 09/16/2020

Description of property to be sold:

California Liquor License No. 48-487281

Terms and conditions of sale:

The sale of the Liquor License will be on an “as is” and “where is” basis without any representations and/or warranties whatsoever subject to overbid at the hearing. See attached Exhibit A.

Proposed sale price: \$ 28,500.00

Overbid procedure (if any):

Initial overbid \$1,000 above the proposed sale price, with each additional bid in \$1,000 increments. Overbidders must deliver a deposit in the amount of \$5,000 by way of cashier's check made payable to

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

September 30, 2020, at 11:00 a.m.

United States Bankruptcy Court
Central District of California
3420 Twelfth Street, Courtroom 303
Riverside, CA 92501-3819

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Jeremy W. Faith
MARGULIES FAITH LLP
16030 Ventura Blvd., Ste. 470
Encino, California 91436

Tel: 818.705.2777
Fax: 818.705.3777
Email: Jeremy@MarguliesFaithLaw.com

Date: 09/01/2020

Notice of Motion

Jeremy Faith, Esq. (SBN190647)
Ori S. Blumenfeld, Esq. (SBN 259112)
MARGULIES FAITH, LLP
16030 Ventura Blvd., Suite 470
Encino, CA 91436
Telephone: (818) 705-2777
Facsimile: (818) 705-3777
Email: Jeremy@MarguliesFaithLaw.com
Email: Ori@MarguliesFaithLaw.com

[Proposed] Attorneys for Howard Grobstein,
Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION

In re

FURY INVESTMENTS, INC. FDBA
ZELDA'S NIGHTCLUB,

Debtor.

Case No. 6:20-bk-14908-MH

Chapter 7

**NOTICE OF CHAPTER 7 TRUSTEE'S MOTION
FOR AN ORDER: (1) AUTHORIZING THE
SALE OF CALIFORNIA LIQUOR LICENSE
FREE AND CLEAR OF LIENS AND
INTERESTS; (2) APPROVING OVERBID
PROCEDURES; AND (3) FINDING THAT
BUYER IS ENTITLED TO § 363(m)
PROTECTION**

Date: September 30, 2020
Time: 11:00 a.m.
Place: Courtroom 303
United States Bankruptcy Court
3420 Twelfth Street
Riverside, CA 92501

TO ALL INTERESTED PARTIES:

Howard Grobstein, the duly appointed, qualified and acting Chapter 7 Trustee
("Trustee" or "Movant") for the bankruptcy estate (the "Estate") of Fury Investments, Inc., fdba
Zelda's Nightclub ("Debtor"), has filed a Motion seeking an order: (1) Authorizing the Sale of
California Liquor License (ABC Lic. No. 48-487271) (the "Liquor License"); (2) Approving

1 Overbid Procedures; and (3) Finding that Buyer is Entitled to § 363(m) Protection (the
2 “Motion”).

3 The Trustee received an offer to purchase the Liquor License from Bell Family
4 Enterprises, Inc. (the “Buyer”) for \$28,500 (the “Purchase Price”).

5 A summary of the sale terms and conditions follows:

6 **(A) Date, Time, and Place of Hearing on the Proposed Sale:** September 30,
7 2020 at 11:00 a.m., in Courtroom 303, of the United States Bankruptcy Court, located at
8 3420 Twelfth Street, Riverside, California 92501.

9 **(B) Name of Proposed Buyer:** Bell Family Enterprises, Inc.

10 **(C) Description of Property to Be Sold:** Liquor License, issued by the
11 California Department of Alcoholic Beverage Control (“ABC”) (ABC Lic. No. 48-487271).

12 **(D) Terms and Conditions of the Proposed Sale**

- 13 · Purchase Price: \$28,500 subject to overbid at the hearing on the Motion;
14 · Condition of Property: The Trustee is selling the Liquor License on an “as is,”
15 “where-is” basis without any representations and/or warranties of any kind.

16 **(E) Liens:** The Trustee has been informed by the Escrow Company that no liens have
17 been asserted by any taxing authority against the Liquor License.

18 **(F) Overbid Procedures:** (1) any person interested in submitting an overbid on
19 the Liquor License must be present either physically or telephonically at the hearing on
20 the Motion or be represented by an individual with authority to participate in the overbid
21 process; (2) each party participating in the overbid process (except for the Buyer) must
22 deliver to the Trustee’s counsel Jeremy W. Faith, Margulies Faith, LLP, 16030 Ventura Blvd.,
23 Ste 470, Encino, California 91436, at least two business days prior to the hearing on the
24 Motion a deposit in the form of a cashier’s check or money order made payable to “Howard
25 Grobstein, Chapter 7 Trustee” in the amount of five thousand dollars (\$5,000.00). The
26 \$5,000.00 deposit shall not be refundable if such party is the successful bidder and is
27 thereafter unable to complete the purchaser and/or transfer of the Liquor License within the
28 period referenced in the applicable escrow documents. In order to participate in the bidding,

1 any prospective overbidder must also provide evidence of his/her/its ability to consummate
2 the sale at the time of the hearing on this Motion; (3) the bidding for the Liquor License shall
3 begin at twenty nine thousand five hundred dollars (\$29,500.00) with overbids being made in
4 the minimal increments of one thousand dollars (\$1,000.00); (4) any party participating in the
5 overbid process shall not be precluded from continuing to make bid after initially passing
6 his/her/its turn or turns to overbid; (5) each party (including the Buyer) must pay the full
7 amount of the successful bid to the Trustee within the time period set forth in the escrow
8 documents. In the event that the Buyer is not the successful bidder, the successful
9 bidder shall then take the place of the Buyer under the same terms and conditions as set
10 forth in the escrow documents, and shall waive all contingencies regarding the purchase
11 of the Liquor License; and (6) furthermore, if the successful bidder cannot deliver the
12 balance of the final sale price or consummate the sale transaction within the applicable
13 time period, the Trustee shall be authorized to accept the offer made by the next highest
14 bidder and the successful bidder's \$5,000.00 deposit shall be non-refundable.

15 **(G) Consideration:** The Trustee estimates that the proposed sale will net not
16 less than \$28,500.00 for the Estate.

17 **(H) Commissions:** None.

18 **(I) Tax Consequences:** The Trustee is not aware of any taxes associated with
19 the sale of the Liquor License.

20 **(J) Deadline for Objection:** The deadline to file and serve an objection to the
21 sale of the Property is September 16, 2020.

22 **PLEASE TAKE FURTHER NOTICE** that the Trustee will also request that the 14-
23 day stay prescribed by Rule 6004(h) of the Federal Rules of Bankruptcy Procedure be
24 waived.

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1 **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Bankruptcy Rule
2 9013-1(h), failure to file and serve a timely response may be deemed consent to the
3 relief requested in the Motion.

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5 DATED: September 1, 2020

MARGULIES FAITH LLP

7 By: /s/ Ori S. Blumenfeld
8 Jeremy W. Faith
9 Ori S. Blumenfeld
 Counsel for Chapter 7 Trustee,
 Howard Grobstein

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

16030 Ventura Blvd., Ste. 470
Encino, California 91436

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 09/01/2020, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* 09/01/2020, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Judge: Hon. Mark Houle United States Bankruptcy Court, 3420 Twelfth Street, Suite Courtroom 303
Riverside, CA 92501-3819
CREDITOR: ABC Escrow, Attn: Miri Kim, Jr. EO, 2222 Damon Street, Los Angeles, CA 90021

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL *(state method for each person or entity served)*: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* 09/01/2020, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via E-mail:
Shauna Bell: shaunas203@aol.com

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

09/01/2020 Angela Saba
Date *Printed Name*

/s/ Angela Saba
Signature

ADDITIONAL SERVICE LIST:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Attorney for Trustee: Ori S Blumenfeld Ori@MarguliesFaithLaw.com,
Helen@MarguliesFaithLaw.com; Angela@MarguliesFaithLaw.com; Vicky@MarguliesFaithLaw.com

Attorney for Debtor: Jenny L Doling JD@jdl.law, dolingjr92080@notify.bestcase.com

Attorney for Trustee: Jeremy Faith Jeremy@MarguliesFaithlaw.com,
Helen@MarguliesFaithlaw.com; Angela@MarguliesFaithlaw.com; Vicky@MarguliesFaithlaw.com

Chapter 7 Trustee: Howard B Grobstein (TR) hbgtrustee@gtllp.com, C135@ecfbis.com

United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov